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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
A328A-USA

In re Application of: Schulman, et al.

Application No.: 10/719,715

Filed: 11/21/2003

For: BATTERY-POWERED PATIENT IMPLANTABLE DEVICE

The owner, THE ALFRED E. MANN FOUNDATION FOR SCIENTIFIC RESEARCH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent Nos. 6,185,452; 6,164,284; 6,564,807 as the term of said prior patents are defined in 35 U.S.C. 154 and 173, and as the term of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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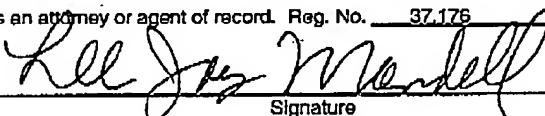
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2. The undersigned is an attorney or agent of record. Reg. No. 37,176



Signature

October 11, 2005

Date

Lee J. Mandell
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661-702-6700
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